



UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/531,285	03/20/00	CHEN	52779USA1B

MMC2/0522
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EXAMINER	
VITUSHIN, J	
ART UNIT	PAPER NUMBER
2541	11

DATE MAILED:

05/22/01

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

1. ☒ The communication filed May 8, 2001 is informal/non-responsive for the reason(s) checked below and should be corrected. APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER OR UNTIL THE EXPIRATION OF THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION (WHICHEVER IS LONGER) WITHIN WHICH TO CORRECT THE INFORMALITY.

- a. ☐ The amendment to claim(s) _____, filed _____, fails to comply with the provisions of 37 C.F.R. 1.121 and is accordingly held to be non-responsive. A supplemental paper correcting the informal portions and complying with the rule is required.
- b. ☐ The paper is unsigned. A duplicate paper or ratification, properly signed, is required.
- c. ☐ The paper is signed by _____, who is not of record. A ratification or a new power of attorney with a ratification, or a duplicate paper signed by a person of record, is required.
- d. ☐ The communication is presented on paper which will not provide a permanent copy. A permanent copy, or a request that a permanent copy be made by the Office at applicant's expense, is required, see M.P.E.P. 714.07.

e. ☒ Other See Attachment

2. ☐ In accordance with applicant's request, THE PERIOD FOR RESPONSE FROM THE OFFICE ACTION DATED _____ IS EXTENDED TO RUN _____ MONTH(S).
No further extension will be granted unless approved by the Commissioner. 37 C.F.R. 1.136 (b)
3. ☐ Receipt is acknowledged of papers submitted under 35 U.S.C. 119 which papers have been made of record in the file.
4. ☐ Other

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Attachment to Notice of Non-Responsive Amendment

1. The reply filed on May 08, 2001, as Paper No. 10, (Certificate of Mailing date: May 04, 2001) is not fully responsive to the prior Office action because of the following omission(s) or matter(s):

The above-cited Amendment is evidently responsive to another Application currently under prosecution. The Office Actions in the instant Application No. 09/531,285 were mailed on January 11, 2001 (Paper No. 5) and April 20, 2001 (Paper No. 7). There was no Office Action mailed February 05, 2001 (see p.1 of instant Amendment) associated with the instant Application. Also, the above-cited Paper Nos. 5 and 7 are *rejections*; none of pending Claims 37-42 are allowable (see Paper No. 7) and, accordingly, there was no Quayle Action (see p.1 of instant Amendment) ever mailed to the Applicant pertaining to the instant Application. The amendments to the Specification and Drawings in the above-cited Paper No. 10 also do not pertain to the instant Application. Evidently, the Applicant has mistakenly filed, in the instant Application, an Amendment intended for a different Application. Applicant's response should include a petition to withdraw the above-cited Amendment (Paper No. 10) from the instant Application.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

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2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Vigushin whose telephone number is (703) 308-1205. The examiner can normally be reached on Monday to Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached on (703) 308-3301. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-7382.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

John B. Vigushin
Patent Examiner
May 16, 2001